

***Wakanyēja Na Tiwahe Ta Wooke* and Traditional Lakota Practices**

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June 9, 2025

## **Introduction *Wakanyēja Na Tiwahe Ta Woose***

*Wakanyēja*, Lakota children, are sacred, and they are the heart of Lakota life. For generations, they have been targets of colonial violence. The U.S. child welfare system continues to function as a tool of assimilation, removing Indigenous youth from their communities at disproportionate rates and placing them with non-Indigenous families. This leads not only to cultural erasure and identity loss but also to long-term trauma for both the child and their community (Van Schilfgaarde and Shelton 2023, 5). These systems operate in violation of tribal sovereignty, failing to uphold the values and knowledge systems that have guided Lakota kinship and caregiving for generations.

In response, tribal communities must reclaim child welfare through codes and processes rooted in Indigenous culture. The *Wakanyēja Na Tiwahe Ta Woose*, or “Oglala Sioux Tribe Child and Family Code,” offers a powerful framework for healing and self-determination. It encourages traditional Lakota practices such as peacemaking, circle processes, and kinship systems that center the spiritual, emotional, and cultural well-being of children and the community. Examining how this code incorporates traditional values can provide a blueprint for restoring balance and protecting future generations of youth for Indigenous communities.

## **Traditional Lakota Values Outlined in *Wakanyēja na Tiwahe Ta Woose***

The *Wakanyēja Na Tiwahe Ta Woose* is a child and family code firmly grounded in traditional Lakota values and communal laws. It was created in response to Lakota children

suffering from the colonial child welfare system. The code states, “this code is drafted and enacted as a matter of deliberate choice and in an effort to reconstruct and reorganize our institutions in the furtherance of our distinctive identities, culture and values” (Oglala Sioux Tribe 2007, 2). The code was created out of tribal sovereignty and the Lakota people's acknowledgement of how important our traditional ways of life are for maintaining our Lakota identities. The code recognizes that our people are in dire need of support and encourages, acknowledges, and teaches traditional familial practices retained across history with the goal of teaching and encouraging the “furtherance of our culture and values” (Oglala Sioux Tribe 2007, 2).

Furthermore, under Section 401.4, *Purpose and Construction*, the code states that it shall be “liberally” interpreted to fulfill the following purposes: (1) to ensure the welfare, care, and protection of children and families; (2) to preserve the unity of the *tiwahe* and *tiospaye*, only separating children when absolutely necessary; (3) to take actions that best serve the spiritual, emotional, mental, and physical well-being of the child; (4) to prevent neglect, abandonment, and abuse; (5) to secure the rights of and ensure fairness to children, parents, and guardians; (6) to provide procedures for intervention; (7) to recognize and reinforce the tribal customs and traditions of the Oglala Lakota Oyate regarding child-rearing; (8) to preserve and strengthen children’s cultural and ethnic identities; and (9) to offer services and cultural support to children and families in order to strengthen and rebuild the Oglala Lakota Nation (Oglala Sioux Tribe 2007, 1–2). By clearly outlining these nine purposes, the code reflects a deep commitment to traditional Lakota values. It centers a holistic approach to child welfare, one that prioritizes not just physical safety but spiritual, emotional, and mental care. In Lakota tradition, children are

among the most sacred beings, and the code reflects this by honoring all dimensions of their well-being, just as traditional community laws once did. The code's dedication is especially evident in purposes (8) and (9), which call for the preservation of cultural and ethnic identity and the use of cultural support to strengthen families and rebuild the Oglala Lakota Nation. By emphasizing the importance of traditional customs, such as ceremony, songs, and language, the code shows how its foundation rests on core Lakota concepts. Section 401.4 ultimately demonstrates a deep-rooted commitment to responsibility, equality, love for children, and a generational obligation to building harmony within our *tiwahe* and *tiospaye*, values that remain central to Lakota existence.

In addition, the code states, “these practices are rooted in our history and our language, and they arose naturally over a long period of time or as gifts from Wakan Tanka to aid in harmonious living with each other and our natural world” (Oglala Sioux Tribe 2007, 2). Similarly, in *Braiding Sweetgrass*, Robin Kimmerer shares that the natural world is very much a spiritual world, rich in gifts waiting to be shared with those of humankind and non-humankind alike—gifts revealed to those who are willing to watch, listen, breathe, touch, and taste, rather than dissect or reduce living things to parts. Kimmerer captures the same understanding that the child and family code holds; one rooted in Indigenous worldviews centered on reciprocity, relationality, and ancient knowledge. The code's “*Purpose and Construction*” reads as a declaration from Wakan Tanka, written with the intention of protecting, preserving, and rebuilding community strength. This dedication is not limited to humans; it is a commitment to generations of knowledge that are foundational to Lakota traditional ways of being. Therefore,

the code's proclamation in Section 401.4 to Wakan Tanka highlights its deep acknowledgment of and encouragement for traditional Lakota values.

Furthermore, Vine Deloria Jr. writes, "American Indians hold their lands, their places, as having the highest possible meaning and all their statements are made with that reference point in mind" (Deloria 2023, quoted in Kimmerer 2013, 34). The code's acknowledgment of knowledge originating from Wakan Tanka and its phrasing, "being before Wakan Tanka" demonstrates its deep-rooted center of what I grew up referring to as *Mitakuye Oyasin*; "we are all related." Meaning that we as a people have a dedication to love to our relations, human and non-human alike. Through Section 401.4 *Purpose and Construction*, the child and family code encourages, acknowledges, and captures traditional Lakota values of *Mitakuye Oyasin*, and the responsibilities that come with this knowledge.

### **Peacekeeping and Traditional Values Outlined in *Wakanyeja na Tiwahe Ta Woope***

Building on this, the code's dedication to "harmonious living" is a foundation of peacemaking practices. Peacemaking strives to restore communal relationships through conflict resolution. *Integrating Indigenous Peacemaking in the Academy: A Peacemaking Toolkit*, 2020 by Niyo Moraza-Keeswood asserts that variations of peacemaking are practiced by Indigenous communities, and commonalities may be found in processes which have a focus on spirituality and an aim to restore harmony and balance between broken relationships. In peacemaking practices, it is common for community and relationships to be centralized, and healing is often conducted through love and deep listening. The common values of peacemaking connect to the code's foundation of harmony. The code states, "to aid in harmonious living with each other and the natural world," spirituality "to recognize and reinforce the tribal customs and traditions of the

Oglala Lakota Oyate,” and long-term relationality “to preserve the unity of *tiwahe* and *tiospaye*” (Oglala Sioux Tribe 2007, 2). The code's underlying foundation of Wakan Tanka, asserting ancestral teachings that continue to shine throughout the code, are deeply rooted in Indigenous conflict resolution practices like peacemaking and circle practices, presenting an encouragement of traditional values in both the code and peacemaking practices. Overall, both peacemaking practices and Lakota traditions are the foundations of *Wakanyeya Na Tiwahe Ta Woose*.

### **Traditional Lakota Kinship Outlined in *Wakanyeya na Tiwahe Ta Woose***

Lakota traditional practices and the circle principles of kinship are taught, encouraged, and accommodated in *Wakanyeya Na Tiwahe Ta Woose*. In Section 401.4, *Purpose and Construction*, the code outlines its intentions for family relations: “to preserve the unity of the *tiwahe* and *tiospaye*, separating the child from his or her parents, *tiwahe* or *tiospaye* only when necessary” (Oglala Sioux Tribe 2007, 2). Here, the code grounds itself in traditional Lakota kinship, emphasizing the importance of maintaining family unity while recognizing extended kinship systems as vital to the well-being of children and the broader community. This foundation is further developed in Section 402.1, *Wotakuye: Lakota Kinship (a) Background, Tiospaye, and Tiwahe*, where the code defines *tiospaye* as extended family. “*Tiospaye* are composed of ‘*tiwahe*,’ immediate families as well as individuals adopted through formal ceremony” (Oglala Sioux Tribe 2007, 4). Through these sections, the code continues to uphold and teach traditional Lakota values rooted in kinship, care, and collective responsibility.

The code continues to articulate the foundation of traditional Lakota kinship, emphasizing the importance of equality as a prevailing principle of “*tiospaye* life” and detailing how our traditional way of life is rooted in responsibilities. For instance, as Lakota, we

acknowledge our responsibilities to our *tiospaye* and *tiwahas* as a privilege, or as Daniel Wildcat refers to it, “inalienable or unalienable responsibilities” (Wildcat 2023, 16), asserting that Indigenous people function with an understanding of relationality where we hold a responsibility to deeply take care of another. Lakota people maintain an understanding that no one is above our laws or social norms, and social classes or hierarchical-based systems do not exist. The child and family code teaches this by defining *tiospaye* and *tiwahe* and asserting equality within our kinship responsibilities.

### **Peacekeeping and Traditional Kinship Outlined in *Wakanyēja na Tiwahe Ta Woose***

In addition, the child and family code acknowledges that historically, “*tiospaye* were self-sufficient and life revolved around them” (Oglala Sioux Tribe 2007, 4). The code is encouraging Lakota kinship as a practice of self-sufficiency that can be used in our community to ensure independence from colonial systems. Therefore, the code is not only capturing traditional Lakota kinship or *tiospaye* life, it is encouraging a foundation of peacemaking to establish resolution systems that function independently of the state. In the text *Integrating Indigenous Peacemaking Into The Academy*, it states, “Peacemaking is a step towards shifting dependence from the state to the community. It encourages us to sustain and build stronger, healthier relationships” (Moraza-Keeswood 2022, 9). The *Wakanyēja Na Tiwahe Ta Woose* incorporates both Lakota kinship and peacemaking practices through defining terms, calling upon historical familial systems, and asserting the community independence *tiospaye* life created.

In connection, the code emphasizes how kinship customs, through accountability and unalienable responsibilities, minimized violence, conflict, and disputes within the *tiospaye*.

“Kinship customs minimized violence, conflict, and disputes within the *tiospaye*. Few individuals would consider causing trouble among the people knowing the consequences they would face from disrespecting relatives” (Oglala Sioux Tribe 2007, 4). The code is acknowledging that Lakota kinship established such a strong bond between people that the knowledge of relationality and the result of disrespecting the people you love was simply enough to help minimize harm. Circle practices maintain similar values of kinship, accountability, and responsibility. For example, peacemaking acknowledges that conflict is layered and often derives from underlying problems within the community, which can cause disruption on a community level (Moraza-Keeswood 2022, 5). This process shifts the idea of accountability from getting even to getting well. It recognizes that healthy relationships, which are the foundation of *tiospaye* life, benefit from community accountability. In other words, conflict is reframed as an opportunity to create understanding, respect, and a better-founded connectedness (Moraza-Keeswood 2022, 6). A key element within *Wakanyeya Na Tiwahe Ta Wooke*, Lakota tradition, and circle practice is that kinship relationality is acknowledged as a notion to reduce conflict and establish a “peaceful and harmonious life” (Oglala Sioux Tribe 2007, 9) within the community.

In addition, the code teaches that in *tiospaye* life, “kinship determines how people talk to one another, how they interact, and how they behave around one another” (Oglala Sioux Tribe 2007, 5). The code provides the example that Lakota people often refer to their relatives by their relation rather than by their given names. For example, I call my auntie LaShae “Tunwin” instead of her name. This practice establishes strong relationships and encourages our people to understand their responsibilities to one another. The code asserts that programs must understand traditional Lakota kinship and its rules for communication and interaction to best aid in helping



our people (Oglala Sioux Tribe 2007, 5). Correspondingly, the use of kinship terms is also a common practice within peacemaking. People strive to refer to one another based on relations, further cementing relationality and accountability in conflict resolution for the betterment of the community. Therefore, the *Wakanyeya Na Tiwahe Ta Woose* both teaches and encourages traditional Lakota kinship in connection with peacemaking practices by detailing how relational terms are practiced.

Lastly, the code teaches, encourages, and accommodates traditional Lakota concepts of kinship through extended families, *tiospaye*. The code in Section 402.1 *Wotakuye: Lakota Kinship (e) Making Relatives* further establishes how traditional Lakota kinship and spirituality aid in the care for children and community relationality. In *tiospaye* life, Lakota people have a spiritual tradition of adopting relatives into our *tiospaye*. This often involves children who are in need of a home and love. It is customary that “no children ever really became orphans” (Oglala Sioux Tribe 2007, 4). Thus, even though children might lose their birth parents, relatives step forward and assume parental responsibilities. The code defines the traditional ceremonies that occur when relatives are ready to formally extend their *tiospaye* and affirm their responsibilities under Wakan Tanka. The code writes, “Waliyacin,” meaning that individuals and their families make a commitment to being related, which begins the necessary preparations for a formal ceremony. The ceremony to adopt or extend a family is “Hunkapi.” “Sa Wicayapi,” how women who make relatives, such as taking on a sister, refer to the ceremony (Oglala Sioux Tribe 2007, 6). Ceremonies for making relatives are a vital aspect of Lakota tradition rooted in spirituality. Our ceremonies are a commitment to community and Wakan Tanka “to be related from that time on” (Oglala Sioux Tribe 2007, 6). This practice helps ensure that our responsibilities as relatives

to love one another and take care of one another are seen and honored in front of Wakan Tanka and can help extend the *tiwahe* when our people are in need. This practice is very special, and through definition, the code teaches our making-relative values and practices.

### **Traditional Lakota Language Outlined in *Wakanyēja na Tiwahe Ta Wooke***

*Wakanyēja Na Tiwahe Ta Wooke* teaches, incorporates, encourages, and acknowledges traditional Lakota language. It upholds the concepts and lessons embedded within our language and honors the importance of Indigenous language in connection with common circle practices. Throughout the code addressing abused and neglected children, Lakota language is incorporated, and its meanings are detailed. For instance, in Section 401.5 *Oyate Ta Wooke* (Traditional Laws to Govern Decisions Affecting Children), the code defines the seven traditional Lakota virtues, including *wocekiye* (“faithfulness”), *wowacinksape* (“wisdom”), *wonagiksape* (“spirituality”), *wowaunsila* (“generosity”), *wawoyuonihan* (“respect”), and *wowahokunkiye* (“guidance and counseling”). The code teaches these Lakota values in detail and asserts that these traditional laws shall be considered and reinforced when the future of a child is decided or influenced. In addition, these virtues connect closely to circle practices. An important element of peacemaking is its dedication to intentional discussion with behavior framed around core values (Moraza-Keeswood 2022, 4). Peacemaking practices center these values with the goal of helping communities stay grounded as they work toward future relationships. Therefore, *Wakanyēja Na Tiwahe Ta Wooke* teaches, incorporates, and upholds traditional Lakota values and worldviews in connection with circle practices.

Furthermore, the code provides detailed explanations of these values in English while simultaneously asserting that the understanding of these terms in Lakota shall prevail.

“Approximate English translations are provided, but the Lakota terms shall govern” (Oglala Sioux Tribe 2007, 2). The code values Lakota language and acknowledges that English cannot fully translate or convey our children’s best interests at heart. Our children’s best interests are deeply intertwined with Lakota tradition and are best understood through the Lakota language. Similarly, peacemaking practices incorporate Indigenous languages while recognizing that English translations are approximate and that Native languages more fully convey the depth and foundation of values derived from specific cultural teachings. For instance, in Navajo peacemaking practices and among Native Hawaiian people who practice Ho’oponopono, a traditional method of community-based conflict resolution, language plays a vital role in understanding the nature of their traditional processes. Both tribes’ foundations rest in their Native languages and acknowledge that English translations are often limited.

### **Peacemaking and Traditional Lakota Language Outlined in *Wakanyēja na Tiwahe Ta Wooke***

Furthermore, the code encourages language practices including the traditional Lakota emphasis on “action.” Lakota is a verb-based language. For example, our grammar structure follows the order of noun, adjective, adverb, and lastly, verb. The majority of meaning in our language is conveyed through verbs. When learning Lakota, one of the first things taught is verbs, because that is where most of the meaning resides. Our ancestors often spoke with immense intention and action, as our language’s structure demands. This verb-based nature manifests in actual action. For instance, within the section *Purpose and Construction*, the code states “to take such actions that will best serve the spiritual, emotional, mental, and physical welfare of the child” (Oglala Sioux Tribe 2007, 2). The code’s foundation in action and its use of

Lakota language to convey such action are both central to traditional Lakota life and peacemaking practices. In peacemaking, rather than judging or using force, participants directly address the consequences of actions. Conflict resolution through peacemaking focuses on addressing harmful actions through intentional conversation with the goal of rebuilding community relations. The attention to action in *Wakanyēja Na Tiwahe Ta Woose*, peacemaking, and traditional Lakota life demonstrates how the code teaches, acknowledges, and encourages Lakota tradition through Lakota language.

### **Value of Wakanyēja “Children” Outlined in *Wakanyēja na Tiwahe Ta Woose***

*Wakanyēja Na Tiwahe Ta Woose* teaches, acknowledges, and encourages the traditional Lakota value placed on children, wakanyēja. The code defines a child as “a sacred gift from Tunkasila or Wakan Tanka—the Great Spirit—conceived by the union of a man and a woman” (Oglala Sioux Tribe 2007, 7). It explains that spirits conduct ceremonies in Nagiyata to prepare for the child’s entry into the earth. Children are given a vision or role for their life on earth and are considered pure, possessing special powers until puberty (Oglala Sioux Tribe 2007, 7). This definition of wakanyēja reflects how, in traditional Lakota tiospaye life, children are above all, a sacred entity that comes from the stars. They embody light, love, and joy, and are to be protected. The code teaches our deep value of children, even detailing their significance before entering our world through the ceremonies conducted by spirits in Nagiyata. Through this definition, the traditional value of children is both taught and honored.

The code continues to advocate for the care and well-being of Lakota youth. In Section 402.3 *Wasicu ta Wowiwanke* (General Definitions), under subsection (5) Best Interests of the Child, the code outlines its traditional intentions regarding youth and specifies the expectations

for the court when evaluating and making decisions about a child's rights. As defined by *Wakanyeja ta Wowasake*, Section 403.1: "herein; (B) The capacity and disposition of the parties involved to give the child love, affection, and guidance and to continue the education and raising of the child; (C) The capacity and disposition of the parties involved to provide the child with food, clothing, medical care, traditional healing, and other material needs; (D) The length of time the child has lived in a stable, satisfactory environment, and the desirability of maintaining continuity; (E) The mental and physical health of the parties involved; (F) The home, school, and community record of the child; (G) Preferences, interests, and views of the child; and (H) Domestic violence, regardless of whether the violence was directed against or witnessed by the child" (Oglala Sioux Tribe 2007, 8). This section begins by referencing the traditional value and relational rights of wakanyeja as the foundational guiding principle, thereby establishing traditional Lakota values as central. In connection with the other guidelines listed, the code aims to uphold the best interests of the child, encouraging the incorporation of traditional Lakota values and practices for wakanyeja.

Building on this, the code includes traditional rights for wakanyeja as the foundational rights of children under Section 403 Children's and Family Rights, 403.1 *Wakanyeja Ta Wowasake* (Traditional Children's Rights). The code restates the rights previously outlined and further details wakanyeja rights grounded in culture and traditional practices. All children have the right to: (1) *Iná*, a mother; (2) *Ate*, a father; (3) *Lakol wicoh'an*, identify with the traditional way of life; (4) *Lakol Iyapi*, learn and speak his or her language; (5) *Tiwahe na tiospaye*, family; (6) *Wotakuye*, know their relatives; (7) know the traditional laws, customs, and ceremonies of the people; and (8) live according to and practice the traditional laws, customs, and ceremonies that

govern the people (Oglala Sioux Tribe 2007, 17). Rooted in Lakota life, the code establishes that in matters concerning youth, traditional Lakota practices hold equal importance to other caretaking factors. By providing the Lakota words for these concepts, *Iná, Ate, Lakol wicoh'an, Lakol Iyapi, Tiwahe na tiospaye*, the code teaches these values and honors their significance. Therefore, Section 403.1 *Wakanyeja Ta Wowasake* asserts its dedication to traditional Lakota rights.

In connection, Section 403.2 *Tiwahe na Tiospaye ta Wowasake* (Traditional Family Rights) further teaches, acknowledges, and encourages traditional Lakota familial practices, including education, self-sufficiency, privacy, and protection of wakanyeja. The code establishes that “largely because of their primary role in taking care of the children, *tiwahe* and *tiospaye* groups also have certain rights as set out in subsection (b)” (Oglala Sioux Tribe 2007, 17) and outlines corresponding responsibilities such as *Wicozani*—to make choices and decisions to live a healthy and prosperous life according to traditional laws, customs, and ceremonies; *Igluhapi*, to establish economic, political, educational, and cultural self-sufficiency and maintain privacy in accordance with traditional laws, customs, and ceremonies; *Woopé Gluhapi*, to live and function according to these laws, customs, and ceremonies and to protect and nurture them; *Woitancan*—to select and designate leaders who serve the people and promote the common good; and *Woilake*—to appoint officials and workers deemed necessary by the *tiospaye* to serve the people and promote the common good, all according to traditional laws, customs, and ceremonies (Oglala Sioux Tribe 2007, 17–18). Through its use of Lakota language and its assertion of the rights to traditional laws, customs, cultural sufficiency, privacy, protection, and

tribal sovereignty of leaders, the code teaches, encourages, and acknowledges traditional Lakota life.

### **Peacemaking and Traditional Value of Wakanyēja Outlined in *Wakanyēja na Tiwahe Ta Woose***

Overall, the code honors the best interests of the child by detailing traditional Lakota familial rights and responsibilities. It encourages the responsibility of caretakers while simultaneously advocating for the indispensable value that our community places, and shall continue to place, upon children. Building upon this, nowhere in the child and family code does it discuss or grant the right to the *tiospaye* to punish or harm a child for the sake of learning. Instead, it details *wowahokunkiye*, “lecturing or teaching,” under Section 402.1 *Wotakuye: Lakota Kinship* (A )Background, Tiospaye and Tiwahe, (C) Elders. In the traditional way of life, the value placed upon wakanyēja is upheld in teaching moments. It was and is never acceptable to punish children, especially with physical violence. The child and family code supports traditional teachings: “Elders are teachers and counselors in traditional Lakota life. Children are often sent to them for *wowahokunkiye*. This is done when children misbehave or need help. Elders are also called upon to mediate disputes and to help keep peace and harmony” (Oglala Sioux Tribe 2007, 5). Therefore, elders uphold peace and harmony and are encouraged never to enact punishment. Instead of punishment, they engage in learning moments, often through an explanation of why an action was wrong, for the sake of building harmony within the community. Similarly, in peacemaking practices, elders serve as guides, mediate disputes, and punishment is often neglected because it causes more harm. For instance, “as our current punitive system has demonstrated, punishment does not actively meet the needs of the harmed party nor

does it promote a positive change in behavior without causing additional harm” (Oglala Sioux Tribe 2007, 6). Instead, peacemaking engages participants in intentional discussion with behavior framed around core values: respect, honesty, trust, humility, sharing, inclusivity, empathy, courage, forgiveness, and love. These values enable participants to stay grounded as they work towards healing. Thus, the foundation of traditional values, often carried out and guided by elders within the child and family code and peacemaking practices, connects to traditional Lakota values and way of life, which honors our youth and our relations in the highest regard.

### **Traditional Values Outlined in the Infrastructure of *Wakanyeya na Tiwahe Ta Woose***

Specific elements of the code’s infrastructure, such as the Lakota Oyate Wakanyeya Otipi (LOWO), the Child Advocacy Center, the LOWO Division of Child Protective Services, the *Tiospaye Nawicakicijinpi* program, the Tiospaye Interpreter, the Child and Family Court, and Section 405.1 on Preference for Traditional Resolution of Child and Family Issues, are all designed to honor and incorporate traditional Lakota values.

The structural makeup of the Child and Family Code includes the Lakota Oyate Wakanyeya Owicakiyapi (LOWO) Office, which encompasses both the Division of Child Protective Services and the Division of Foster Care. LOWO is responsible for protecting children, providing treatment and family prevention services, and licensing and monitoring foster care homes and placements (Oglala Sioux Tribe 2007, 14). It also directs the activities of the Integrated Child Welfare Workgroup—an interagency body established by the code to serve as both an advisory body to the Judiciary Committee and LOWO (13). This workgroup also forms the Child Protection Teams, which collaboratively develop and implement policies, procedures,



protocols, training content, and case review practices for children deemed in need of care by the Child and Family Court (Oglala Sioux Tribe 2007,10).

LOWO also coordinates with the Child Advocacy Center, which provides specialized services such as child forensic interviews, supports a multi-disciplinary team in criminal child abuse and domestic violence cases, and monitors Integrated Child Welfare Agency (ICWA) compliance. In addition, it initiates and participates in community meetings, offers technical assistance in developing procedures and training, and works with the Department of Public Safety, the Office of the Attorney General, and other agencies that serve families and children (9).

The LOWO Office functions as the central hub of the code's infrastructure. It oversees various interconnected departments—including the Child Protection Team, the Child Advocacy Center, and the Integrated Child Welfare Workgroup—all of which collectively advocate for the best interests of children, families, and the broader community. The inclusion of LOWO in the code and its function as a guiding supervising force reflects traditional Lakota values of leadership, relational accountability, and collective decision-making rooted in *tiospaye* (extended kinship) and circle practices.

In Lakota tradition, difficult situations are not handled in isolation or from a single perspective. Instead, they are held by the whole community, with leadership grounded in listening, inclusion, and shared responsibility. Like a traditional leader or elder, LOWO takes in perspectives from all departments before guiding a path forward. It does not act alone, but rather depends on collaborative input from others, such as the Integrated Child Welfare Workgroup and

related teams. This structure supports traditional Lakota models of resolution and communal care, ensuring that multiple voices are heard, and that every effort is made to uphold the best interests of *wakhanyeja*.

Furthermore, the Child and Family Code in Section 402.3 *Wasicu ta woiwanke* (General Definitions), specifically under points (72) *Tiospaye Nawicakiciyapi* (“Tiospaye Advisory Council”) and (73) *Tiospaye Interpreter*, further demonstrates the code’s infrastructural commitment to traditional Lakota values. The Tiospaye Advisory Council was established to answer certified questions of Lakota custom and tradition that the Child and Family Court will have. This council is responsible for advising the court, attorneys, advocates, and other relevant agencies, entities, officials, *tiwahe* (families), *tiospaye* (extended families), and Tiospaye Interpreters concerning traditional Lakota definitions, concepts, and protocols (Oglala Sioux Tribe 2007,13).

The Tiospaye Interpreter is a person (or persons) designated by their *tiospaye* to serve as an interpreter of the code’s provisions. They receive training and certification through the LOWO Office and act as the official point of contact for children and families in need of services (13). Both the Tiospaye Advisory Council and the Tiospaye Interpreter are positions embedded in the code’s infrastructure to ensure that the implementation of the Child and Family Code reflects and honors traditional Lakota law. These roles are dedicated to carrying out and interpreting Lakota values and practices across all agencies involved in Child and Family Court proceedings. Their inclusion represents a clear institutional commitment to cultural sovereignty and the application of Indigenous knowledge systems.

## **Peacemaking and Traditional Values Outlined in the Infrastructure of *Wakanyēja na Tiwahe Ta Woose***

In connection, many circle practices reflect similar structures. Elders or trusted community members often serve as peacekeepers or guiding voices in conflict resolution processes—roles comparable to the Tiospaye Interpreter and the Advisory Council. In both contexts, the individuals are expected to be deeply rooted in community knowledge, traditional ways of life, and respected for their dependability and wisdom. The shared goal is to honor and uphold traditional values during moments of hardship or conflict.

Thus, through the inclusion of the Tiospaye Advisory Council and the Tiospaye Interpreter, the code not only commits to traditional Lakota concepts, values, and practices, but also mirrors common themes found in circle practice infrastructures, designating culturally grounded individuals to guide resolution and healing.

## **Traditional Values and Action Outlined in the Infrastructure of *Wakanyēja na Tiwahe Ta Woose***

Lastly, the child and family code, in its infrastructure, details in Section 404 — *Jurisdiction of the Children and Family Court* under Section 404.2 *Creation of Children and Family Court*, that “There is hereby established for the Oglala Sioux Tribe, a court to be known as the Children and Family Court.” The jurisdiction of the court is civil in nature (meaning non-criminal offenses only) and shall include the authority to issue all orders necessary to ensure the safety, well-being, and best interests of the children before it (Oglala Sioux Tribe 2007,19). The creation of the Children and Family Court allows the Oglala Sioux Tribe to establish

traditional values in conflict resolution, and most importantly, asserts tribal sovereignty over matters involving children, reclaiming authority historically stripped through colonial systems (e.g., boarding schools, foster care placements outside the tribe).

Daniel Wildcat defines tribal sovereignty as the inherent authority of Indigenous nations to self-govern according to their traditional laws and values, deeply rooted in responsibility to their ancestral lands, communities, and future generations. The code's creation of the Children and Family Court grants full jurisdiction over all civil matters regarding youth and family disputes. Therefore, the tribe can integrate traditional Lakota values in every aspect of civil *tiospaye* disputes and conflict resolution.

The creation of the Children and Family Court is the code's primary infrastructural connection to traditional Lakota values, serving as an institutional incorporation of a new system designed to honor the traditional rights granted to wakanyeja in the present day and outlining how the Oglala Lakota people may carry them out.

For example, Sections 405.1 *Preference for Traditional Resolution of Child and Family Issues* and 405.2 *Description of Traditional Resolution of Family Issues* further embed traditional Lakota values within the court's infrastructure. These sections state that:

“At all times, the Children and Family Court within tribal jurisdiction shall allow and encourage traditional processes to develop solutions to problems concerning the safety and development of children. Non-traditional systems... shall be implemented only when the Office of the Attorney General makes a showing to the Children and Family Court that there is clear evidence the traditional system is unable to ensure the child's safety (Oglala Sioux Tribe 2007, 21).”

The code clearly expresses its dedication to traditional conflict resolution systems, such as circle practices, and ensures these practices are central to its infrastructure, reinforcing its commitment to traditional Lakota values.

**Peacemaking, Traditional Values, and Action Outlined in the Infrastructure of *Wakanyēja na Tiwahe Ta Wooke***

Additionally, Section 405.2 details “Lakota customary laws” that empower adult relatives to correct and discipline children through practices such as *wowahokunkiye* “to advise, counsel, teach, or lecture” and *wokigna* “nurture” (21). This emphasis goes beyond mere dedication to Lakota customs by specifying appropriate treatment for youth by adults. This reflects circle practices, which focus on learning and transformation rather than punishment. Circle practices center traditional customs and provide guidance needed for community healing. For example in the text *Peacemaking Toolkit: A Guide to Restorative Justice, Traditional Practices, and Community Healing* it states when discussing circle practice conflict resolution action it states, “Instead of judging or using force, participants directly address the action and their consequences” (Moraza-Keeswood 2022, 6). This shared focus on guidance and positive action is a key theme linking both the child and family code and circle practices. Both have created systems rooted in traditional Lakota values, encouraging actions that uphold the best interests of children, tiospayes, and Oyate (the nation).

Overall, the creation of the Children and Family Court is a strong infrastructural commitment to upholding and honoring traditional Lakota values by reclaiming the right to care for our own children through our own laws. It represents a direct exercise of tribal sovereignty,

restoring authority over family and kinship matters and ensuring that decisions affecting Lakota families are made within a system grounded in our cultural values, language, and spiritual understanding of wakanyeja.

### **Conclusion *Mitakuye Oyasin***

In conclusion, the child and family code *Wakanyeja na Tiwahe Ta Wooope* not only encourages, allows, and accommodates traditional practices, concepts, and notions, it was built upon them. From its foundational declaration of justice and rights under Wakan Tanka (our Creator), to its incorporation and detailed use of the Lakota language as the overall governing framework, and its specification of the rights grounded in traditional Lakota values that must be upheld for our Lakota children, to its infrastructure and creation of a new system, the Children and Family Court, these elements demonstrate how the Oglala Sioux Tribe created *Wakanyeja na Tiwahe Ta Wooope* rooted in our traditional values, and how it will continue to center them for our children, families, and community.

The code's dedication to traditional Lakota values connects to Indigenous circle practices across time and around the world through the universal commitment of what we call *Mitakuye Oyasin*, "We are all related." This phrase is the foundation of our spirituality and is present in every aspect of this code, just as it is in all Indigenous communities. The Lakota phrase for the care and love present in this code and in all indigenous communities is "*Mitakuye Oyasin*" and very fittingly it means "We are all related."

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